

UNITED STATES DISTRICT COURT
for the
Middle District of Tennessee

United States of America
v.

EDIL ACOSTA-ZUNIGA
a/k/a
EDIL ALFONSO ACOSTA-ZUNIGA

Case No. 25-mj-2123

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 8, 2025 in the county of Davidson in the
Middle District of Tennessee, the defendant(s) violated:

Code Section

Title 8, United States Code
Sections 1326(a) &(b)(2)

Illegal Re-entry

Offense Description

This criminal complaint is based on these facts:

See Attached statement in support of complaint

☒ Continued on the attached sheet.

/s/ Benjamin Miller

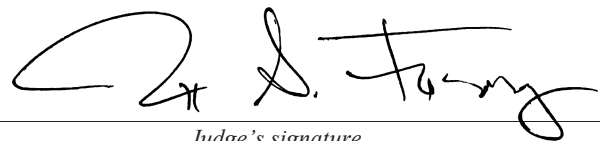
Complainant's signature

Special Agent Benjamin Miller, HSI

Printed name and title

Sworn to me remotely by telephone, in compliance with
Fed. R. Crim. P. 4.1.

Date: 04/08/2025



Judge's signature

City and state: Nashville, Tennessee

Hon. Jeffrey S. Frensley, U.S. Magistrate Judge

Printed name and title

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, Benjamin Miller, having been duly sworn, hereby depose and swear to the following:

1. I, Benjamin Miller, am a Special Agent with the Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). I am currently assigned to the HSI Office of the Special Agent in Charge, Nashville, TN. I have been so employed since October 2019. As an HSI Special Agent, I am familiar with federal statutes, including: 8 U.S.C. §§ 1326(a) and 1326(b)(2), which make it unlawful for an individual convicted of an aggravated felony who has previously been deported from the United States to enter the United States without the inspection, admission, parole, or permission of the appropriate federal authorities.

2. The facts contained in this affidavit are based on first-hand knowledge or information learned during this investigation from law enforcement sources or from witnesses. This affidavit does not contain each and every detail known by me regarding this investigation. Instead, this affidavit provides information necessary to establish probable cause to arrest Edil Acosta-Zuniga a/k/a Edil Alfonso Acosta Zuniga (the Defendant) for a violation of 8 U.S.C. §§ 1326(a) and 1326(b)(2). Except where indicated, all statements referenced herein are set forth in substance and in part, rather than verbatim.

3. In April 2025, HSI received information that an individual named Edil ACOSTA ZUNIGA was living within the Middle District of Tennessee, specifically Nashville, Tennessee. Queries of the Defendant's name and other identifiers in law enforcement records and databases identified him as an aggravated felon previously deported from the United States multiple times.

4. On April 8, 2025, HSI and ICE Enforcement and Removal Operations (ERO) agents conducted surveillance at a residential location associated with the Defendant in Nashville, Tennessee. HSI and ERO encountered an individual matching the description and historical photographs of the Defendant at that location. The Defendant was administratively arrested and transported to the HSI office for processing. Following the Defendant's arrest, the Defendant was shown a photograph from historical encounters and admitted that he was the individual pictured. Additionally, the identity of the Defendant was confirmed with fingerprint biometrics.

5. After reviewing law enforcement and immigration databases, I was able to determine that the Defendant is a citizen of Honduras and is illegally present in the United States without legal authority.

6. Criminal history records confirmed the Defendant was convicted of Illegal Re-entry by a removed alien, in violation of 8 U.S.C. § 1326(a), on January 5, 2009, in the United States District Court for the Southern District of Texas. The Defendant was sentenced to time served and was subsequently removed from the United States.

7. On or about February 6, 2012, the Defendant was arrested in Beaumont, Texas for a violation of 8 U.S.C. § 1324(a)(1)(A) - Bringing in and Harboring Certain Aliens. The Defendant was convicted of this offense on or about July 26, 2012. The Defendant was sentenced to 24 months' imprisonment and 12 months' supervised release. The Defendant's conviction qualifies as an Aggravated Felony under 8 U.S.C. § 1101(a)(43)(N).

8. Immigration records show that the Defendant has been previously removed from the United States five times. Since the Defendant's conviction of an Aggravated Felony, the Defendant has been removed twice from the United States to Honduras on or about November 6, 2013 (from Harlingen, Texas) and on or about November 4, 2016 (from Dallas, Texas).

9. Since the Defendant's last removal in 2016, the Defendant has not received express consent to reapply for admission into the United States from the United States Attorney General and/or the Secretary of Homeland Security. The Defendant has entered and was found in the United States illegally and without authorization. The Defendant has no pending applications with the Citizenship and Immigration Services (USCIS). Immigration records indicate the Defendant is ineligible for any relief under the Immigration & Nationality Act (INA), as amended.

10. As the Defendant is illegally in the United States and his removal was subsequent to a conviction for an Aggravated Felony, I am requesting a warrant authorizing the arrest of the Defendant for a violation of 8 U.S.C. §§ 1326(a) and 1326(b)(2).